

In the Claims:

Please amend the claims as indicated below.

1. (currently amended) A method, embodied in a device including at least one processor and a computer readable memory, the device providing voice communications over a packet-based data communication network by:

receiving a call request;

determining whether the requested call would span a virtual private network gateway connecting a local network to an external network at least in part by comparing a current Internet Protocol (IP) address of a calling party phone~~at least one phone~~ to be used in the requested call with a local IP address associated with the calling party phone, and determining that the requested call would span the virtual private network gateway connecting the local network to the external network in response to detecting a mismatch between the current IP address of the calling party phone and the local IP address of the calling party phone; and

in response to a determination that the requested call would not span the virtual private network gateway connecting the local network to the external network, increasing a size of packets used in the call.

2. (currently amended) The method of claim 1, further comprising:

determining whether a total delay for the requested call would exceed a predetermined maximum delay if a packetization delay component is increased for the requested call responsive

to stored information in a call server system indicating whether a called party phone is local to thea calling party phone; and

increasing the size of packets used in the requested call only in the event that the packetization delay for the requested call can be increased without exceeding the predetermined maximum delay.

3. (currently amended) The method of claim 1, further comprising:

determining whether a total delay of the requested call would exceed a predetermined maximum delay if a packetization delay component is increased for the requested call responsive to a directory number of thea calling party phone and a directory number of a called party phone; and

increasing the size of packets used in the requested call only in the event that the packetization delay for the requested call can be increased without exceeding the predetermined maximum delay.

4. (currently amended) The method of claim 1, further comprising determining whether thea calling party phone and a called party phone can process an increased packet size, and only increasing thesaid size of packets used in the call in the event that both thesaid calling party phone and thesaid called party phone can process thesaid increased packet size.

5. (currently amended) The method of claim 1, wherein thesaid increasing thesaid size of packets used in said call comprises increasing thesaid size of packets used in thesaid call to a packet size above a default packet size.

6. (cancelled)

7. (currently amended) The method of claim 2, wherein ~~thesaid~~ maximum delay is a value that cannot be exceeded without adversely impacting the voice quality of the call.

8. (currently amended) A system, including at least one processor and a computer readable memory, for providing voice communications over a packet-based data communication network, comprising:

request processing logic for receiving a call request;

gateway determining logic for determining whether the requested call would span a virtual private network gateway connecting a local network to an external network at least in part by comparing a current Internet Protocol (IP) address of ~~a calling party phone~~at least one phone to be used in the requested call with a local IP address associated with the calling party phone, and determining that the requested call would span the virtual private network gateway connecting the local network to the external network in response to detecting a mismatch between the current IP address of the calling party phone and the local IP address of the calling party phone; and

packet size increasing logic for, responsive to a determination that the requested call would not span the virtual private network gateway connecting the local network to the external network, increasing a size of packets used in the call.

9. (currently amended) The system of claim 8, further comprising:

delay determining logic for determining whether a total delay for the requested call would exceed a predetermined maximum delay if a packetization delay component is increased for the requested call responsive to stored information in a call server system indicating whether a called party phone is local to ~~the~~a calling party phone; and

wherein the packet size increasing logic increases the size of packets used in the requested call only in the event that the packetization delay for the request call can be increased without exceeding the predetermined maximum delay.

10. (currently amended) The system of claim 8, further comprising:

delay determining logic for determining whether a total delay of the requested call would exceed a predetermined maximum delay if a packetization delay component is increased for the requested call responsive to a directory number of ~~the~~a calling party phone and a directory number of a called party phone; and

wherein the packet size increasing logic increases the size of packets used in the requested call only in the event that the packetization delay for the requested call can be increased without exceeding the predetermined maximum delay.

11. (currently amended) The system of claim 8, wherein ~~the~~said packet size increasing logic further determines whether ~~the~~a calling party phone and a called party phone can process an increased packet size, and wherein ~~the~~said packet size increasing logic only increases ~~the~~said size of packets used in the call in the event that both ~~the~~said calling party phone and ~~the~~said called party phone can process ~~the~~said increased packet size.

12. (currently amended) The system of claim 8, wherein thesaid packet size increasing logic increases thesaid size of packets used in thesaid call by increasing thesaid size of packets used in thesaid call to a packet size above a default packet size.

13. (cancelled)

14. (previously presented) The system of claim 9, wherein said maximum delay is a value that cannot be exceeded without adversely impacting the voice quality of the call.

15. (currently amended) The method of claim 1, further comprising:

wherein the local network is a wireless network;

wherein the external network is the internet; and

wherein thea calling party phone for the requested call is located on the wireless network;
and

~~—— wherein determining whether the requested call would span a gateway connecting a local network to an external network further comprises determining whether a called party phone terminating the requested call is being used remotely on the external network through the virtual private network gateway.~~

16. (currently amended) The method of claim 1, further comprising:

wherein the local network is a wireless network;

wherein the external network is the internet; and

wherein a called party phone terminating the requested call is located on the wireless network; and

~~wherein determining whether the requested call would span a gateway connecting a local network to an external network further comprises determining whether a calling party phone for the requested call is being used remotely on the external network through the virtual private network gateway.~~

17. (currently amended) The system of claim 8, further comprising:

wherein the local network is a wireless network;

wherein the external network is the internet; and

wherein the calling party phone for the requested call is located on the wireless network; and

~~wherein the gateway determining logic determines whether the requested call would span the gateway connecting the local network to the external network by determining whether a called party phone terminating the requested call is being used remotely on the external network through the virtual private network gateway.~~

18. (currently amended) The system of claim 8, further comprising:

wherein the local network is a wireless network;

wherein the external network is the internet; and

wherein a called party phone terminating the requested call is located on the wireless network; and

—wherein the ~~gateway determining logic determine whether the requested call would span a gateway connecting a local network to an external network by determining whether a calling party phone for the requested call is being used remotely on the external network through the virtual private network gateway.~~

19. (currently amended) The method of claim 1, further comprising:

wherein the calling party phone ~~at least one phone to be used in the requested call~~ comprises a Voice over Internet Protocol (VoIP) phone ~~and wherein the current address of the phone and the local address associated with the phone comprise Internet Protocol (IP) addresses.~~

20. (currently amended) The system of claim 8, further comprising:

wherein the calling party phone ~~at least one phone to be used in the requested call~~ comprises a Voice over Internet Protocol (VoIP) phone ~~and wherein the current address of the phone and the local address associated with the phone comprise Internet Protocol (IP) addresses.~~